

IC 6-1.1-2

Chapter 2. Imposition of Tax

IC 6-1.1-2-1

Property subject to tax

Sec. 1. Except as otherwise provided by law, all tangible property which is within the jurisdiction of this state on the assessment date of a year is subject to assessment and taxation for that year.

(Formerly: Acts 1975, P.L.47, SEC.1.)

IC 6-1.1-2-2

Assessment methods

Sec. 2. All tangible property which is subject to assessment shall be assessed on a just valuation basis and in a uniform and equal manner. Personal property which is subject to assessment and taxation shall be assessed annually in the manner prescribed in this article. Real property which is subject to assessment and taxation shall be assessed in the manner and at the times prescribed in this article.

(Formerly: Acts 1975, P.L.47, SEC.1.)

IC 6-1.1-2-3

Rate of tax; use of revenues

Sec. 3. The total tax rate to be imposed on each one hundred dollars (\$100) of the assessed value of property shall be determined in the manner provided by law. Property tax revenues shall be used for state expenditures and for the support of the political subdivisions of this state.

(Formerly: Acts 1975, P.L.47, SEC.1.)

IC 6-1.1-2-4

Liability for tax; assessment of improvement or appurtenance separately from land

Sec. 4. (a) The owner of any real property on the assessment date of a year is liable for the taxes imposed for that year on the property, unless a person holding, possessing, controlling, or occupying any real property on the assessment date of a year is liable for the taxes imposed for that year on the property under a memorandum of lease or other contract with the owner that is recorded with the county recorder before January 1, 1998. A person holding, possessing, controlling, or occupying any personal property on the assessment date of a year is liable for the taxes imposed for that year on the property unless:

- (1) the person establishes that the property is being assessed and taxed in the name of the owner; or
- (2) the owner is liable for the taxes under a contract with that person.

When a person other than the owner pays any property taxes, as required by this section, that person may recover the amount paid from the owner, unless the parties have agreed to other terms in a

contract.

(b) An owner on the assessment date of a year of real property that has an improvement or appurtenance that is:

- (1) assessed as real property; and
- (2) owned, held, possessed, controlled, or occupied on the assessment date of a year by a person other than the owner of the land;

is jointly liable for the taxes imposed for the year on the improvement or appurtenance with the person holding, possessing, controlling, or occupying the improvement or appurtenance on the assessment date.

(c) An improvement or appurtenance to land that, on the assessment date of a year, is held, possessed, controlled, or occupied by a different person than the owner of the land may be listed and assessed separately from the land only if the improvement or appurtenance is held, possessed, controlled, or occupied under a memorandum of lease or other contract that is recorded with the county recorder before January 1, 1998.

(Formerly: Acts 1975, P.L.47, SEC.1.) As amended by Acts 1981, P.L.63, SEC.1; P.L.51-1997, SEC.1.

IC 6-1.1-2-5

Partnership property

Sec. 5. The tangible property of a partnership shall be listed and assessed in the firm name. Each partner is jointly and severally liable for the property taxes so assessed.

(Formerly: Acts 1975, P.L.47, SEC.1.)

IC 6-1.1-2-6 Repealed

(Repealed by P.L.1-1990, SEC.65.)

IC 6-1.1-2-7

Exempt property

Sec. 7. The following property is not subject to assessment and taxation under this article:

- (1) A commercial vessel that is subject to the net tonnage tax imposed under IC 6-6-6.
- (2) A motor vehicle or trailer that is subject to the annual license excise tax imposed under IC 6-6-5.
- (3) A boat that is subject to the boat excise tax imposed under IC 6-6-11.
- (4) Property used by a cemetery (as defined in IC 23-14-33-7) if the cemetery:
 - (A) does not have a board of directors, board of trustees, or other governing authority other than the state or a political subdivision; and
 - (B) has had no business transaction during the preceding calendar year.
- (5) A commercial vehicle that is subject to the annual excise tax imposed under IC 6-6-5.5.

*As added by P.L.1-1990, SEC.66. Amended by P.L.52-1997, SEC.1;
P.L.181-1999, SEC.1.*